



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HAASHEIM CORNELIUS ANDREWS,

Plaintiff,

- against -

WILLIAM THOMAS, CAPTAIN PITTMAN,  
C.O. TULLUCH, C.O. RUSSELL,  
C.O. BROWN, C.O. MASON, JOHN DOES

Defendants.  
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: O R D E R

: 09 Civ. 1135(NRB)

**NAOMI REICE BUCHWALD**  
**UNITED STATES DISTRICT JUDGE**

**WHEREAS** plaintiff filed the complaint in this action on February 9, 2009; and

**WHEREAS** by letter dated August 19, 2009, plaintiff made application for leave to submit an amended complaint; and

**WHEREAS** a "court should freely give leave" to amend the complaint "when justice so requires" under Fed. R. Civ. P. 15(a)(2); it is hereby

**ORDERED** that plaintiff's application for leave to amend his complaint is granted; and it is

**ORDERED** that such leave does not include leave to rename defendant Corrections Officer Brown, who was dismissed from this action by Order dated August 5, 2009; and it is

**ORDERED** that such leave does not include leave to rename defendant Corrections Officer Mason, who is hereby dismissed from this action because plaintiff has not effected service on Mason to

date and plaintiff's deadline to do so was June 9, 2009 under Fed. R. Civ. P. 4(m) and August 17, 2009 under the extension the Court granted plaintiff on July 15, 2009.

DATED: New York, New York  
September 11, 2009

A handwritten signature in black ink, reading "Naomi Reice Buchwald", written over a horizontal line.

NAOMI REICE BUCHWALD

UNITED STATES DISTRICT JUDGE